

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CHARLES HEARN,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	
	)	CIVIL ACTION NO.
DWAYNE G. BISHOP, V. A. & T., INC.,	)	
CONGREGATIONAL SECURITY ,	)	3:22-CV-1049-G
INC., and CLASSIC SECURITY	)	
SERVICES, INC.,	)	
	)	
Defendants.	)	

**FINAL DEFAULT JUDGMENT AGAINST ALL DEFENDANTS**

The plaintiff's amended motion for default judgment against the defendants Dwayne G. Bishop ("Bishop"), V. A. & T., Inc. ("VAT"), Congregational Security, Inc., ("CSI"), and Classic Security Services, Inc. ("CSSI") (collectively, "Defendants") (docket entry 17) is **GRANTED**.

The court finds that the Defendants have been duly served and provided notice of this action.

The court further finds that the Defendants have not appeared and answered in this case and have not sought an extension from Plaintiff or this court to file or otherwise plead.

The court further finds that a default judgment is procedurally warranted, Plaintiff's complaint sufficiently sets forth facts establishing that the Plaintiff is entitled to relief, and Plaintiff is entitled to the relief requested in its complaint and Motion.

The court further finds that the Defendants are jointly and severally liable for all causes of action set forth in Plaintiff's complaint, including Plaintiff's claims for failure to pay overtime wages in accordance with the Fair Labor Standards Act ("FLSA"), unlawful retaliation under the FLSA, and violations of the Texas Uniform Fraudulent Transfer Act.

The court further finds that by failing to answer this action, Defendant Bishop has admitted that he formed CSSI and transferred to CSSI contracts and assets belonging to Defendants VAT and CSI to hinder, delay, and defraud Plaintiff, a would-be creditor against Defendants, and this constitutes actual fraud by the Defendants against Plaintiff.

The court further finds that Plaintiff has suffered damages due to Defendants' unlawful conduct.

The court further finds that Plaintiff should recover the principal amount of \$93,213.00 from Defendants jointly and severally.

The court further finds that Plaintiff should recover prejudgment interest on the amounts awarded above beginning on January 28, 2022 and continuing through the date of this Default Judgment, at the rate of 5% per annum.

The court further finds that Plaintiff should recover post-judgment interest on the total amount of the judgment and any prejudgment interest awarded above, at the rate of 3.11% per annum, from the date this Default Judgment is signed until paid in full.

The court further finds that Plaintiff should recover his reasonable and necessary attorneys' fees in the principal amount of \$10,123.75.

The court further finds that Plaintiff should recover an additional amount of \$25,000 if Defendants unsuccessfully appeal the judgment to the Fifth Circuit Court of Appeals, \$10,000.00 if Defendants file a petition for review to the United States Supreme Court, which is denied, and an additional amount of \$20,000 for the successful defense of a petition for review in the United States Supreme Court, in the event the petition is granted.

The court further finds that Plaintiff should recover its costs of court, to bear interest at the rate of 5% per annum from the date of this Default Judgment until paid in full.

It is therefore **ORDERED, ADJUDGED, and DECREED** that Plaintiff have judgment against Defendants, jointly and severally, in the principal amount of \$93,213.00.

It is further **ORDERED** that Plaintiff is awarded prejudgment interest on the amounts awarded above beginning January 28, 2022 and continuing through the date of this Default Judgment, at the rate of 5% per annum.

It is further **ORDERED** that Plaintiff is awarded post-judgment interest on the total amount of the judgment and any prejudgment interest awarded above, at the rate of 3.11% per annum, from the date this Default Judgment is signed until paid in full.

It is further **ORDERED** that Plaintiff is awarded attorneys' fees from Defendants in the principal amount of \$10,123.75. These amounts are reasonable and necessary related to the work incurred by Plaintiff's attorneys.

It is further **ORDERED** that Plaintiff is awarded attorneys' fees on appeal. Plaintiff is awarded the additional amount of \$25,000 if Defendants unsuccessfully appeal the Default Judgment to the Fifth Circuit. Plaintiff is awarded the additional amount of \$10,000 if Defendants file a petition for review to the United States Supreme Court, which is denied. Plaintiff is also awarded the additional amount of \$20,000 for the successful defense of a petition for review in the United States Supreme Court, upon the petition being granted. Each of these amounts is reasonable and necessary related to the work that will be incurred. Each of these amounts is awarded to Plaintiff.

It is further **ORDERED** that costs are hereby taxed against Defendants.

It is further **ORDERED** that Plaintiff is entitled to enforce this Default Judgment through abstract, execution, attachment, and any other process necessary.

It is further **ORDERED** that this Default Judgment finally disposes of all the parties and all claims and is appealable.

July 21, 2022.

  
A. JOE FISH  
Senior United States District Judge